

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INFODELI, LLC, a Missouri limited liability
company,

Petitioner,

v.

AMAZON WEB SERVICES, INC., a Delaware
corporation,

Respondent.

NO. 2:17-cv-00281

INFODELI, LLC'S MOTION TO SEAL

Underlying case: *Infodeli, LLC v.*
Western Robidoux, Inc.
(Western District of Missouri, Case No.
4:15-CV-364-BCW)

NOTE ON MOTION CALENDAR:
April 14, 2017

I. INTRODUCTION

In this Miscellaneous matter, Plaintiff InfoDeli wishes to embed within the Declaration of Paul A. Maddock certain screen snapshots of indices of EC2 instances and RDS snapshots that exist (or existed) on Amazon Web Services' servers in the account of Engage Mobile Solutions, LLC. Counsel for Engage has designed these matters as Attorneys' Eyes Only pursuant to a protective Order entered in the underlying case. That Protective Order is attached to the Declaration of Paul Maddock as Exhibit 1.

1 Counsel wrote Mr. Knops and asked if he continued to assert the Attorneys' Eyes
2 Only designation for these images, or if he would be willing to allow InfoDeli to submit the
3 Maddock Declaration with the images embedded. Mr. Knops has never responded.

4 Pursuant to LCR 5(g), Petitioner InfoDeli moves this Court for an order granting its
5 Motion to Seal. Such an order would further the purposes of the Agreed Protective order by
6 shielding confidential financial information from the public, but would also allow InfoDeli to
7 rely on and present to the court evidence in support of its forthcoming Reply to its Motion to
8 Compel Production to its Subpoena.
9

10 II. BACKGROUND

11 InfoDeli intends to file a Reply to its Motion to Compel, and in support thereof,
12 wishes to show the Court the information previously provided to InfoDeli. These images are
13 important for several reasons: 1) they show that the names of the "buckets" where ESI is
14 stored does not convey meaningful information; and 2) they provide evidence suggesting that
15 Engage's production was incomplete.
16

17 These images have been designated Attorneys' Eyes Only by Mr. Knops, and he has
18 not responded to InfoDeli's request to de-designate them for this Reply Brief. Given the
19 Protective Order entered in the underlying action, InfoDeli has no choice but to move to seal
20 the Maddock Declaration in order to comply with the Protective Order.
21

22 III. ARGUMENT

23 Under LCR 5(g)(2), InfoDeli must make a "compelling showing" on a dispositive
24 motion to overcome the court's strong presumption in favor of public access to documents.
25 Because these documents were marked "Attorneys' Eyes Only" under the parties' protective
26 order issued in the underlying matter, and because that designation has not been challenged,

1 InfoDeli submits that it has met its burden to file under seal under LCR 5(g)(2). The public
 2 will not be harmed if these images remain, as they would otherwise if not for their
 3 involvement in this case. A protective order was sought and granted in the underlying case in
 4 the interest of protecting this sensitive information from public view. Thus, the Missouri
 5 Federal District Court has already agreed that such information merits protection by virtue of
 6 having entered the protective order.

7 **IV. CONCLUSION**

8
 9 For the reasons stated more fully above, this Court should grant this motion and allow
 10 Petitioner InfoDeli, LLC to file the Maddock Declaration under seal.

11 DATED this 31st day of March, 2017.

13 **IMPACT LAW GROUP PLLC**

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